

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

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|----------------------------|---|-------------------------------------|
| JOHN ANNA K. BEAM, | : | Case No. 3:17-cv-372 |
| | : | |
| Plaintiff, | : | Magistrate Judge Sharon L. Ovington |
| | : | (by full consent of the parties) |
| vs. | : | |
| | : | |
| COMMISSIONER OF THE SOCIAL | : | |
| SECURITY ADMINISTRATION, | : | |
| | : | |
| Defendant. | : | |

DECISION AND ENTRY

This cause coming before the Court on the joint motion of the parties, due notice having been given, and the Court being fully advised,

IT IS THEREFORE ORDERED THAT:

1. The Decision and Entry docketed on December 3, 2019 (Doc. #17) is stricken from the record;
2. The parties' Joint Stipulation for an Award of Attorney Fees under the Equal Access to Justice Act (Doc. #16) is accepted and the Commissioner shall pay Plaintiff's attorney fees in the amount of \$3,800.00 and costs in the amount of \$400.00, for a total of \$4,200.00;
3. Counsel for the parties shall verify whether or not Plaintiff owes a pre-existing debt to the United States subject to offset, consistent with *Astrue v. Ratliff*, 560 U.S. 586 (2010). If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff; and
4. The case remains terminated on the docket of this Court.

December 17, 2019

s/Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge